

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAVID CARABALLO,

Plaintiff,

-against-

DEPARTMENT OF CORRECTIONS CITY
OF NEW YORK, et al.,

Defendants.

Case No. 1:22-cv-00971 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

When Plaintiff David Caraballo filed this pro se complaint, he was incarcerated at the Vernon C. Bain Center. On October 31, 2022, the Court dismissed Plaintiff's complaint with leave to amend, giving Plaintiff until January 10, 2023, to file an amended complaint. ECF No. 23. According to the New York City Department of Correction Inmate Lookup, Plaintiff is now incarcerated at the George T. Bierno Center. Plaintiff has not updated his address or otherwise communicated with the Court, and it is not clear that he intends to proceed with this action.

Under Rule 41(b) of the Federal Rules of Civil Procedure, a district court may dismiss an action *sua sponte* for failure to prosecute after notifying the plaintiff. *LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001); *see Fields v. Beem*, No. 13-cv-0005 (GTS/DEP), 2013 WL 3872834, at *2 (N.D.N.Y. July 24, 2013) ("A plaintiff is required to notify the Court when his address changes, and failure to do so is sufficient to justify dismissal of a plaintiff's complaint.") (collecting cases). Accordingly, the Court directs Plaintiff to update his address of record within 30 days of the date of this order. Should Plaintiff fail to comply with this order, the Court will dismiss the action without prejudice for failure to prosecute.

The Clerk of Court is directed to mail a copy of this Order and the Order at ECF No. 23 to Plaintiff at the address listed on the docket, and the below address:

David Caraballo (NYSID 02481972K)
George R. Vierno Center (GRVC)
09-09 Hazen Street
East Elmhurst, NY 11370

Dated: March 13, 2023

New York, New York

SO ORDERED.



JENNIFER L. ROCHON

United States District Judge